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Attorney for Defendant,
ESAM ALI

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ESAM ALI ,

Defendant.

CASE NO. 1-20-cr-00130-JLT-SKO

STIPULATION & ORDER
TO CONTINUE SENTENCING
TO AUGUST 26, 2024 at 9:00 a.m.

Date: May 6, 2024
Time: 9:00 AM
Judge: Hon. Jennifer L. Thurston

PROCEDURAL BACKGROUND

Mr. ESAM ALI pleaded guilty to one count of 18 United States Code Section 1344 (bank fraud) on January 29, 2024. Sentencing was scheduled for May 6, 2024 at 9:00 a.m. in front of the Honorable Jennifer L. Thurston. Mr. Ali met with U.S. Probation Officer Ross Micheli and was interviewed for the Pre-Sentence Report. Mr. Ali remains released from custody on a personal recognizance bond without pretrial services supervision. Mr. Ali, through his attorney, requests a continuance of his sentencing hearing.

There is good cause to continue the sentencing in this matter as Mr. Ali is scheduled for surgery in June and defense counsel is pursuing mitigation issues relevant to sentencing. Extra time is requested due to his need for a longer than normal recovery due in part to Mr. Ali's propensity for excessive bleeding and the likelihood of infection.

STIPULATION TO CONTINUE SENTENCING TO AUGUST

IT IS HEREBY STIPULATED, by and through the parties through their respective counsel, Assistant United States Attorney Jeffrey Spivak, counsel for the plaintiff, and Attorney Carol Moses, counsel for Esam Ali, that the sentencing currently scheduled for May 6, 2024 at 9:00 a.m. be continued to August 26, 2024 at 9:00 a.m. Attorney for the government, Jeffrey A. Spivak, does not object to this continuance and United States Probation Officer Micheli does not object to the proposed date change.

CONCLUSION

Mr. Ali through his attorney of record, Carol Moses, respectfully requests this Court continue the sentencing in his case to August 26, 2024 at 9:00a.m. so that he may adequately recover from surgery and so his attorney of record may adequately represent him and provide appropriate mitigation evidence at the time of the hearing.

Dated: April 23, 2024

Respectfully submitted,

CAROL ANN MOSES

/s/ Carol Ann Moses

CAROL ANN MOSES

Attorney for Defendant

ESAM ALI

Dated: April 23, 2024

PHILLIP A. TALBERT

United States Attorney

/s/ Jeffrey A. Spivak

JEFFREY A. SPIVAK

Assistant United States Attorney

ORDER

IT IS SO ORDERED. The Court finding Good Cause and based on the above Stipulation by the Parties, hereby orders the Sentencing in Case Number 1-20-cr-00130-JLT-SKO of ESAM ALI continued to August 26, 2024 at 9:00 a.m.

IT IS SO ORDERED.

Dated: **April 23, 2024**


UNITED STATES DISTRICT JUDGE